

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

Father Doe 246, on behalf of his minor child, Jane Doe 246,

Plaintiff,

v.

Berkeley County School District,

Defendant.

C.A. No.: 2:16-cv-224-PMD

ORDER

This matter is before the Court on Father Doe 246's motion for approval of a settlement that the parties have reached in this action (ECF No. 24). Father asks the Court approve a settlement that includes the payment of \$85,000.00, less attorney's fees and costs, to Father to hold in trust for his minor daughter, Jane Doe 246.

Having reviewed Father's motion, documents submitted to the Court relating to the distribution of the \$85,000.00 payment, and the record in this case, the Court finds the settlement is fair, reasonable, benefits all parties, and is in Jane Doe 246's best interests. The Court further finds that the proposed settlement satisfies the requirements of Local Civil Rules 17.01–17.03 (D.S.C.), as well as section 62-5-433 of the South Carolina Code. Therefore, the Court hereby approves the settlement.

Father has agreed to pay his attorneys a fee of 40% of the settlement amount, plus costs. 40% of \$85,000.00 is \$34,000.00, and Father's attorneys have provided satisfactory evidence that they incurred \$6,348.65 in costs on this case. The Court finds that fee and those costs fair and reasonable, and so it approves payment of those amounts out of the settlement. The net proceeds for Jane Doe 246 shall be \$44,651.35.

It has come to the Court's attention that there is a dispute among Father's current attorneys and former attorney regarding the amount of the attorney's fee and the division of that fee between counsel. The Court will address that matter through a separate order and with further proceedings, if necessary. In no way, however, does the Court intend for that dispute to delay the payment of settlement proceeds to Father. Father Doe 246 is hereby authorized to receive payment immediately of the net proceeds of the settlement payment, and he is ordered to hold it in trust for Jane Doe 246 until she reaches the age of majority.

AND IT IS SO ORDERED.


PATRICK MICHAEL DUFFY
United States District Judge

January 30, 2017
Charleston, South Carolina